

Annual Report of the City Planning Commission

July 1, 2019 – June 30, 2020

In spite of the extraordinary circumstances created by the Covid-19 pandemic, the City Planning Commission (CPC) executed its statutory, Charter- and ordinance-mandated, and City Council-requested responsibilities during the fiscal year beginning July 1, 2019 and ending June 30, 2020.

Also during this same period, the City of Detroit replaced the 61-chapter 1984 Detroit City Code with the updated 50-chapter 2019 Detroit City Code, causing a realignment and updating of the Zoning Ordinance from Chapter 61 to Chapter 50.

Below is a summary of activities of the 9-member City Planning Commission and its professional and administrative staff.

ACTIVITY PER STATUTORY AUTHORIZATION

Zoning Ordinance Text Amendments (6)

- CH. 61 (ZONING) TEXT AMENDMENT: The CPC held a public hearing on proposed **Short Term Rentals** ordinances proposed by Council Member Janeé Ayers involving both the Zoning Ordinance and the Property Maintenance Code outside of Zoning. Together with the Law Department, a new regulatory scheme for short term rentals was devised involving the repeal of an existing Zoning prohibition against home occupations involving paid overnight guests and the development of definitions, processes, and regulations for short term rentals within the Building Code. The CPC voted to recommend approval of the Zoning amendment and offered substantive suggestions for the non-Zoning provisions. City Council received the CPC recommendation and has taken the ordinances under review for further refinement.
- CH. 61 TEXT AMENDMENT: The CPC held a public hearing on the request of Council Member Castañeda-López to update and revise regulations relative to **hostels/youth hostels** in tandem with a public discussion on an amendment to Chapter 44 (Public Accommodations) prepared by the Law Department for the licensing and regulation of hostels/youth hostels. The operational standards for hostels that had been recited in the Zoning Ordinance were moved and updated to the licensing ordinance. The CPC voted to recommend approval of the Zoning amendment and supported the proposed non-Zoning provisions. The text amendment has been adopted as Ord. No. 2019-48.
- CH. 61 TEXT AMENDMENT: The CPC held a public hearing and voted to approve the proposed amendment to invest authority in the Planning and Development Department to apply the appropriate of two **off-street parking standards** for manufacturing and production uses. This amendment to the Zoning Ordinance was precipitated by the realization that the off-street parking standards for factories, such as those recently approved for auto parts suppliers, were more appropriate for the labor-intensive

manufacturing of past decades than for today's highly computerized operations with a much smaller work force.

- **CH. 61 TEXT AMENDMENT:** The CPC held a public hearing and voted to recommend approval of revisions proposed by the Planning and Development Department to the scope and standards for **Traditional Main Street Overlay** (TMSO) areas and Gateway Radial Thoroughfare Overlay areas, the repeal of the Far Eastside Overlay area, and revisions to certain regulations relative to Regulated Uses and to mixed-uses. TMSO areas were established in the Zoning Ordinance in 2005 and provide design standards that do not apply generally citywide as a way to enhance the aesthetics of the commercial strip. This amendment increased the number of TMSO areas from the original nine (*Seven Mile/John R; Grand River, Woodmont to Evergreen; Bagley/Vernor; Livernois/McNichols; East Jefferson, Dickerson to city limits; Woodward, Temple to Highland Park limits; Grand Boulevard between I-75 and I-96; Michigan Avenue, M-10 to Vinewood; Vernor/Springwells*) to eleven, by designating sections of East Warren and West Warren Avenues as TMSOs and by lengthening the Grand River TMSO to extend from Greenfield to Lahser and by adding a portion of Lahser north of Grand River. The CPC approval included five changes to the proposed draft ordinance. This text amendment was subsequently merged with a related text amendment also involving TMSOs.
- **CHAPTER 50 TEXT AMENDMENT AND CHAPTER 4 (SIGNS) AMENDMENT:** Perhaps no single zoning issue has consumed as much time and effort in the past three decades as has signs. A years-long effort came to fruition with a multi-party effort to amend, update, and compile regulations for both on-premises business signs and off-premises advertising signs, as well as directional signs and temporary signs, into a single chapter of the City Code.

The CPC held a public discussion in advance of two public hearings on the Administration's proposed repeal of definitions, procedures, and regulations of **signs** from the Zoning Ordinance in favor of replacement into a Police-power chapter of the 2019 City Code, Chapter 4 (Advertising and Signs), as requested by Council Member Benson. The resulting repeal of zoning regulation in favor of the new ordinance will, for the first time, allow for the amortization of signs that fail to meet revised standards, impose strict spacing standards on new advertising signs, such as billboards, outside of the Central Business District (CBD), while allowing advertising wall graphics in the CBD to bring revenue to downtown building owners for a 10-year period. The new sign ordinance will take effect in December 2020.

- **CH. 50 TEXT AMENDMENT:** CPC held a public hearing on the request of the Planning and Development Department for Council Member Scott Benson to establish the **Van Dyke Traditional Main Street Overlay** (TMSO) area and to revise certain TMSO standards. The Commission directed additional community meetings to be held before voting to recommend approval of this text amendment which establishes Van Dyke between Seven Mile and Eight Mile Roads as the twelfth TMSO area in the City of

Detroit. This amendment was combined with the earlier TMSO amendment and would eventually become effective as Ord. No. 2020-21.

Zoning Ordinance Map Amendments (11)

- CH. 61 MAP AMENDMENT: After an earlier public hearing and vote to recommend approval in the prior fiscal year, CPC staff presented the Commission’s report before City Council regarding the request of staff, on behalf of Council Member Castaneda-Lopez, to amend Map No. 52 by down-zoning several properties along and near Pleasant Street in the 48217 zip code from M4 and B4 to M2 and R2. The rezoning was approved and went into effect with Ord. No. 2019-40.
- CH. 61 MAP AMENDMENT: After an earlier public hearing in the prior fiscal year, the CPC voted to recommend approval of the **Detroit Riverfront Conservancy**’s request to amend Map No. 1 to rezone the multi-acre property at 1801 West Jefferson from PCA to PR. The Ralph C. Wilson, Jr. Centennial Park is being established at this site.
- CH. 61 MAP AMENDMENT: After an earlier public hearing in the prior fiscal year, the CPC voted to recommend **denial** of the request of Pogoda Companies to amend Map No. 40 to rezone land at 15801 and 15999 Joy Road from R5 and M4 to B4 for a proposed self-storage facility.
- CH. 61 MAP AMENDMENT: The CPC held a public hearing on the request of the Planning & Development Department to amend Zoning Map Nos. 28 and 30 to rezone seven additional parcels from B4 to M2 for the recently approved **Fiat Chrysler Automobiles** plant expansion project.
- CH. 61 MAP AMENDMENT: The CPC held a public hearing and voted to recommend approval on the request of the Detroit Brownfield Redevelopment Authority to amend Map No. 24 to rezone 312 parcels on land at 6101 Van Dyke (**Kettering** High School site and Rose Elementary School site) from R2 to M3. This rezoning, embodied in Ord. No. 2019-31, makes acres of land zoning-ready for possible automotive suppliers in close proximity to the Fiat Chrysler expansion.
- CH. 61 MAP AMENDMENT: After an earlier public hearing in the prior fiscal year, the CPC continued its discussion of the request of the Parkstone Development Partners (**Wilbur Block LLC**) to amend Map No. 7 to rezone land on Lincoln and Wilbur Streets from M4 to SD2 for a mixed use development. Subsequently, the CPC voted to recommend approval of the rezoning, which was later effectuated by City Council as Ord. No. 2019-41.
- CH. 61 MAP AMENDMENT: The CPC held a public hearing and voted to recommend approval of the request of the Planning & Development Department to amend Map No. 45 to rezone 147 parcels on land bounded by McGraw, West Warren, Edsel Ford, and 35th/Parkdale from R2 and B4 to M3 for **prospective automotive suppliers**, the boundaries of the proposed rezoning having been adjusted to encompass a smaller area. The matter subsequently died at City Council.
- CHAPTER 50 MAP AMENDMENT: The CPC held a public hearing and voted to recommend approval of the request of Parkstone Development Partners (**Better Made Snack Foods, Inc.**) to amend Map No. 25 by rezoning land on Harding Avenue (7

properties) from R2 to M2 for additional parking. The matter moved to City Council for action later in 2020 and was subsequently enacted as Ord. No. 2020-25.

- CH. 50 MAP AMENDMENT: The CPC held a public hearing and voted to recommend approval of the request of **Morton Manor** Limited Dividend Housing Corp., LLC to amend Map No. 18 to rezone land at 20000 Dequindre from R2 to R3 to remove its nonconforming use status in pursuit of state tax credits. The matter moved to City Council for action later in 2020 and was subsequently enacted as Ord. No. 2020-20.
- CH. 50 MAP AMENDMENT: The CPC held two public hearings and further discussion at various CPC meetings on the CPC staff request to amend Map No. 20 to rezone 10 parcels (**Bel Air shopping center**) on East Eight Mile and Conner from M4 to B3. The matter continues under the Commission's advisement through 2020.
- CH. 50 MAP AMENDMENT: The CPC received a preview presentation on the request of **Wallick Communities** to amend Map No. 59 by rezoning land at 17370 Meyers Road from R1 to R3 to provide senior housing prior to convening a virtual public hearing and voting to recommend approval of the rezoning. The applicant is pursuing Michigan State Housing Development Authority low income housing tax credits. The matter was taken up by City Council later in 2020 and subsequently enacted as Ord. No. 2020-29.
- CH. 50 MAP AMENDMENT: The CPC held a public hearing and voted to recommend approval of the request of the Planning and Development Department to amend Map No. 1 by rezoning five parcels addressed off of Washington Boulevard (**Joe Louis Arena site**) from PC to B5. The Sterling Group obtained the land from the Financial Guaranty Insurance Corporation as a result of 2013 municipal bankruptcy for future redevelopment. The matter was taken up by City Council later in 2020 and subsequently enacted as Ord. No. 2020-10.

Planned Developments—Establishment of PDs and Modifications of PDs (9)

- CH. 61 PD MAP AMENDMENT: The CPC held a public hearing and voted to approve the request of Fusco, Shaffer & Pappas (**NSO Clay Service Center**) to amend Map No. 12 by modifying the existing PD district on land bounded by Mack Avenue, Ellery, Ludden, and Elmwood Avenues to allow for an emergency shelter and supportive services. This PD modification went into effect with Ord. No. 2019-34.
- CH. 61 PD MAP AMENDMENT: The CPC held a public hearing on the request of the **Pope Francis Center** to amend Map 13 to rezone land at 3769 East Canfield from R3 and B6 to PD for a bridge housing facility for Detroit's homeless community. Subsequently, the CPC voted to recommend approval of the rezoning, the request for which ultimately withdrawn by the applicant following City Council public hearing and discussion.
- CH. 61 PD MAP AMENDMENT: The CPC held a public hearing on the request of the **Henry Ford Health System** to amend Map No. 7 to rezone land on 26 parcels bounded by Pallister, John C Lodge, Seward, and Poe Streets from R3 to PD for a 7-level parking structure. Months later, the CPC voted to recommend approval of the rezoning, which subsequently was approved by City Council later in 2020 and enacted as Ord. No. 2020-36.
- CH. 61 PD MAP AMENDMENT: The CPC held a public hearing and subsequent discussion at various CPC meetings on the request of Jerry Pattah, et al. to modify the PD

on Map No. 65 at 7910-7990 West Outer Drive at Southfield to allow for **billboard** advertising sign at the existing College Park shopping center. After obtaining a legal opinion from the Law Department, the CPC voted to support the staff recommendation to deny the request. City Council subsequently concurred with the CPC denial.

- CH. 61 PD MAP AMENDMENT: CPC voted to recommend approval of a minor modification of the proposed PD that was voted on in the prior fiscal year to rezone B4 and M3 land bounded by **Gratiot Avenue**, Russell, and Maple Streets. This rezoning went into effect as Ord. No. 2019-32.
- CH. 61 PD MAP AMENDMENT: The CPC voted to recommend approval of a minor modification of the existing PD on Map No. 6 for the **Sugar Hill Project** at 81-119 Garfield (Ord. No. 21-18) to allow for the reduction in dwelling units and off-street parking spaces.
- CH. 50 PD MAP AMENDMENT: The CPC received a presentation from Verus Development LLC prior to its public hearing to amend Map No. 39 by rezoning land at 4444, 4470 Radnor from R1, B4 to PD for a **Chipotle** restaurant. The CPC voted to recommend approval of the rezoning with four conditions, which was subsequently effectuated later in 2020 by Ord. No. 2020-18.
- CH. 50 PD MAP AMENDMENT: The CPC held a virtual public hearing on and voted to recommend approval of the request of CPC staff and the Planning and Economic Development Department to amend Map No. 4 to establish two new PDs and to modify the existing PDs that comprise the Brush Park community.
- CH. 50 PD MAP AMENDMENT: The CPC held a virtual public hearing on and recommended approval of the request of the General Services Department to amend Map Nos. 41 and 50 to rezone property on West Jefferson at the Detroit River between Cavalry and South Rademacher (**Fort Wayne**) from R1 to PD.

MASTER PLAN OF POLICIES

Master Plan Amendments

MASTER PLAN AMENDMENT: After an earlier presentation, the CPC held a virtual public hearing on and voted to recommend approval of the request of the Planning and Development Department to amend the Master Plan of Policies in Neighborhood Cluster 5, West Riverfront Neighborhood area by changing the future general land use designation from PR (Regional Park) to INST (Institutional) to allow for adaptive reuse of existing historic buildings at **Fort Wayne**.

Master Plan Review

Over the past four years, the Planning and Development Department (P&DD) has conducted various community planning efforts across the City and provided presentations to the CPC. The Commission has expressed, as has the City Council, the desire to see these efforts manifested in changes to the Master Plan. Last Winter, the Commission and P&DD began a dialogue in review of the Master Plan that was derailed by the pandemic, but re-engaged in the new fiscal year.

CPC INITIATIVES, CITY COUNCIL MANDATES, AND INTERAGENCY COLLABORATIONS

ZONE DETROIT PROJECT

CPC staff, having convened 32 community outreach meetings between September 2018-September 2019, continued its work with outside consultant, Code Studios, and with various City offices forward a comprehensive update to the Detroit Zoning Ordinance. As part of public engagement, a project-specific website and a zoning game were created to reflect and illustrate issues/problems to be addressed. The CPC and its Zoning Advisory Group received and responded to the “Zoning Analytic” prepared by Code Studios. This document provided a series of recommendations to address problems with the current Zoning Ordinance. In light of delays necessitated by the pandemic and due to the breadth of the project, Code Studio’s contract has been extended for an additional year.

PLANNED DEVELOPMENT (PD) PROJECT

Following the previous year’s assistance from the Law Department to better consolidate regulations pertinent to the land in the city that are zoned Planned Development (PD), CPC staff undertook the systematic research and review of current and archival materials related to the PD District, involving:

- Review of each of 78 Zoning Maps for all land zoned PD.
- Creation of a database of 419 PD ordinances and their related legislative history as contained in the Journal of Common Council and Journal of City Council between 1953-2020.
- Commencement of site visits to each of 400+ sites and photo documentation of current conditions.

COMMUNITY BENEFITS ORDINANCE PROJECTS

With the adoption of the City’s Community Benefits Ordinance (CBO), developers of certain large projects receiving special considerations from the City, are obligated to work in collaboration with neighborhoods potentially impacted by their development. City staff, including CPC, has participated in oversight of CBO proceedings. CPC staff has held two community meetings in 2020 in regards to the CBO ordinance.

RECODIFICATION OF THE DETROIT CITY CODE

CPC staff worked extensively with the office of the City Clerk, the Law Department, and the multi-agency Recodification Committee toward the updating and transferal of the Zoning Ordinance from Chapter 61 of the 1984 Detroit City Code to Chapter 50 of the 2019 Detroit City Code. The new City Code was adopted through Ord. No. 28-19 and went into effect on October 1, 2019. Staff continues its collaboration with the Clerk in preparation for the First Supplement to the new Code.

MEDICAL MARIHUANA FACILITIES; ADULT USE MARIHUANA

Voter initiatives have prompted the establishment of land uses that heretofore were absent in the Zoning Ordinance. Ordinances that came before the CPC in 2015 and 2018 related to medical marihuana are being implemented by the Administration. CPC staff plays a role in reviewing proposed medical marihuana locations and in preparing for eventual recreational marihuana-related land uses.

- CPC staff has contributed to 43 reviews of facilities with the Medical Marihuana Facilities Review committee that have sought licensure in the City of Detroit.
- CPC staff participated in five meetings in anticipation of adult use (recreational) marihuana businesses being established.

PARKING/RESIDENT PERMIT PARKING

Off-street parking has been one of the most complicated of land use issues facing developers, communities, and city personnel. CPC staff intends to have meaningful revisions to parking requirements, exemptions, and standards addressed in the Zone Detroit project. This issue often surfaces as a point of contention in projects that trigger the Community Benefits Ordinance engagements.

CPC staff was a key participant in the formulation of a new Resident Permit Parking ordinance that was recently adopted.

LAND SALE REVIEW

Land sale Resolutions to City Council from the Planning & Development Department, Housing and Revitalization Department, and Detroit Land Bank require CPC staff review related to the zoning appropriateness of uses proposed for the land to be sold:

- 170 reviews completed in fiscal year.

COMMUNITY DEVELOPMENT BLOCK GRANT/ NEIGHBORHOOD OPPORTUNITY FUND (CDBG/NOF)

CPC staff, working jointly with the Housing and Revitalization Department, Office of Grants Management, and the Office of Contracts and Procurement reviewed the funding proposals, observing the 12 threshold criteria that had been adopted by City Council. Priorities: Home Repair; Homeless/Public Service; Recreation/Public Service; Economic Development; Public Facility Rehabilitation; Summer Jobs Program/SESC Training Program (NRSA) and Public Service. Recommendations were made to the Commission which, following review and discussion, recommended approval to the City Council.

REFERRALS AND REVIEWS WITH BSEED

CPC staff participates in the Preliminary Plan Review (PPR) convened most weeks by the Buildings, Safety Engineering and Environmental Department (BSEED) to review projects about

to enter the application “pipeline.” These meetings bring together staff from numerous departments and afford developers information related to ordinance interpretation, zoning requirements and processes, site plan review, special land use hearings, Board of Zoning appeals variances, and permit plan review. The PPR meetings help applicants attach names and faces to the review process, resulting in fewer delays and quicker responses.

Separate from the PPR meetings, BSEED routinely refers matters to CPC staff that come under Commission and/or Council’s purview. During the 2019-2020 fiscal year, staff handled the following 50 referrals:

- 22 sign reviews
- 26 building permits
- 1 temporary use permit
- 1 site plan review

MISCELLANEOUS REPORTINGS AND CORRESPONDENCE (88 reports to City Council)

- 29 Reports on Neighborhood Enterprise Zone certification.
- 11 Reports regarding proposed Zoning Map amendments.
- 8 Reports related to proposed Sign Ordinances and existing illegal signage.
- 7 Reports related to extension of review period to avoid lapse of CPC approval.
- 7 Reports related to “Special District Review”—external alterations to PC, PCA districts.
- 6 Reports related to Zoning Ordinance text amendments
- 6 Reports related to new PD Districts or modification of existing PD Districts.
- 5 Reports related to Secondary Street name signs (coordinated with Historic Designation Advisory Board staff).
- 2 Reports related to the Community Benefits Ordinance and constituent meetings.
- 1 Report related to site plan review of existing PD District.
- 1 Report related to CPC fee schedule.
- 3 Reports related to Community Development Block Grant/NOF funds.
- 1 Report related to airport.
- 1 Report related to City Council evening community meeting scheduling.
- Various other reports of the Legislative Policy Division to which the CPC or staff made contributions.